

Applicant: Jerry D. Sanderlain  
Serial No.: 10/797,942  
November 29, 2005

### **REMARKS**

The Office Action dated June 29, 2005 has been carefully considered and all issues raised therein have been addressed. Claims 1-3, 5, 7 and 10-11 have been amended without prejudice, Claims 13 and 14 have been added and Claims 1-3, 5, 7 and 10-14 remain pending. Applicant has amended the application to place it in condition for allowance. No new matter has been added. Reconsideration of this application is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claims 1-5 and 7-10 under 35 USC Section 102, as being anticipated by Wedeking (U.S. Patent No. 5,419,613). Notwithstanding the amendments to the claims, Applicant submits that the original claims do not read on Wedeking and that Applicant's invention as claimed is structurally and fundamentally distinct therefrom. It is axiomatic in any proper Section 102 rejection that every element of the invention as claimed be contained in the cited reference. Applicant submits that Wedeking fails to disclose every element of claims 1-5 and 7-10 and is structurally distinct from Applicant's claimed invention. Applicant's claimed invention recites a rigid remote control stand having a base, not a chair, that facilitates horizontal and vertical adjustment of at least one remote control. The remote control is secured to a support plate that pivots around a fixed horizontal axle and rotates around a fixed vertical axis. Applicant also claims an optical wave guide that reflects signals from the remote control toward the television or other electronic device. By contrast, Wedeking discloses chair-mounted platform for adjusting video game controllers. Wedeking is mounted to a chair by a flexible tube and does not

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provide the same type of horizontal and vertical adjustment on a pivoting support as claimed and disclosed by Applicant. Wedeking also fails to disclose or even contemplate an optical waveguide as claimed by Applicant. The Examiner appears to interpret Wedeking's signal transmissions as a waveguide. This, however, is not even remotely disclosed or suggested by Wedeking. Signal transmissions do not comprise waveguides, rather, signal transmissions from a remote control are redirected by a waveguide. Wedeking is completely different from Applicants claimed invention. Notwithstanding, Claim 1-3, 5, 7 and 10-11 have been amended to clarify the claimed subject matter and to place the application in condition for allowance.

Applicant respectfully traverses the Examiner's rejection of claim 6 under 35 USC Section 103(a), as being anticipated by Wedeking in view of McKenzie. Applicant incorporates the above arguments under Section 102 with respect to this Section 103 rejection. Notwithstanding the amendments to the claims, Applicant submits that the claim 6 does not read on Wedeking in view of McKenzie and that Applicant's invention as claimed is structurally and fundamentally distinct therefrom, individually and in combination. In addition, neither Wedeking or McKenzie suggest or motivate the proffered combination. In fact, Wedeking and McKenzie are structurally incompatible such that it would be impossible to combine them to arrive at Applicant's claimed invention, even if the combination were suggested. As noted, Wedeking discloses a chair mounted platform for supporting control devices and McKenzie discloses a combination lamp system with an alarm clock, radio and television receiver. It is axiomatic in any proper Section 103 rejection that every element


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of the invention as claimed be contained or suggested in the cited references combined, that there be a motivation for the combination and that it be possible to combine their respective teachings. Applicant submits that the cited art is structurally distinct from Applicant's claimed invention, fail to suggest or motivate Applicant's claimed invention or the proffered combination and fail to render claim 6 obvious. Accordingly, reconsideration is respectfully requested.

For the reasons indicated above, Applicant asserts that claims 1-3, 5, 7 and 10-14 patentably distinguish Applicant's invention over the prior art of record, and are in condition for allowance. Applicant respectfully requests that the above rejections be reconsidered and withdrawn since the overall invention, as recited in Applicant's claims is neither taught nor suggested by the prior art.

Should the Examiner have any concerns or comments, the undersigned would appreciate a telephone conference in order to expedite this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. P. Lhota', written over a horizontal line.

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